

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Kenneth T. Heruth; Keith A. Miesel	Confirmation No.	8232
Serial No.:	10/825,964	Filed:	April 15, 2004
Examiner:	Fangemonique A. Smith	Group Art Unit:	3736
Docket No.:	1023-360US01	Customer No.:	28863
Title:	DETECTING SLEEP		

CERTIFICATE UNDER 37 CFR 1.8 I hereby certify that this correspondence is being transmitted via the United States Patent and Trademark Office electronic filing system on November 20, 2008.

By: 

Name: Shirley A. Bewach

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits the references listed on the attached form PTO-1449. This Information Disclosure Statement is being filed after a first Office Action on the merits but before a Notice of Allowance or a Final Rejection.

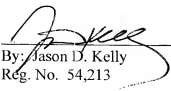
Applicant has enclosed a copy of the article cited. A copy of the U.S. publication is not enclosed as this requirement has been waived by the U.S. Patent Office.

Please charge Deposit Account No. 50-1778 in the amount of \$180.00 to cover the required fee set forth in §1.17(p) for a large entity. Please apply any other charges or credits to Deposit Account No. 50-1778.

Respectfully submitted,

Date: 11-20-08

Shumaker & Sieffert, P.A.
1625 Radio Drive, Suite 300
Woodbury, Minnesota 55125
Phone: (651) 286-8350
Fax: (651) 735-1102


By: Jason D. Kelly
Reg. No. 54,213